

Union Calendar No. 86

111TH CONGRESS
1ST SESSION

H. R. 2728

[Report No. 111–170]

To provide financial support for the operation of the law library of the
Library of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2009

Ms. ZOE LOFGREN of California (for herself and Mr. DANIEL E. LUNGREN
of California) introduced the following bill; which was referred to the
Committee on House Administration

JUNE 19, 2009

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To provide financial support for the operation of the law
library of the Library of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “William Orton Law
5 Library Improvement and Modernization Act”.

1 **SEC. 2. FINANCIAL SUPPORT FOR LAW LIBRARY OF LI-**
2 **BRARY OF CONGRESS.**

3 (a) FINANCIAL SUPPORT.—In addition to any other
4 amounts made available for the salaries and expenses of
5 the Library of Congress, there are authorized to be appro-
6 priated to the Librarian of Congress \$3,500,000 for main-
7 taining and administering the operations of the law library
8 of the Library of Congress, including the cataloguing of
9 the collections of the law library. Any amounts appro-
10 priated pursuant to the authority of this subsection shall
11 remain available without fiscal year limitation until ex-
12 pended.

13 (b) ELECTRONIC CATALOGING OF NONPROPRIETARY
14 MATERIAL.—To the extent practicable, in using any funds
15 appropriated pursuant to the authority of subsection (a)
16 to catalog and archive nonproprietary material in the col-
17 lections of the Law Library after the date of the enact-
18 ment of this Act, the Law Librarian of Congress shall
19 catalog and archive the material electronically in a non-
20 proprietary and nondiscriminatory format. Nothing in the
21 previous sentence may be construed to affect any cata-
22 logging and archiving activities carried out with funds
23 which are not appropriated pursuant to the authority of
24 subsection (a).

1 **SEC. 3. SEPARATION OF LAW LIBRARY SALARIES AND EX-**
2 **PENSES IN PREPARATION OF ANNUAL LI-**
3 **BRARY OF CONGRESS BUDGET.**

4 (a) SEPARATE BUDGET TREATMENT OF LAW LI-
5 BRARY.—In preparing the annual budget for the Library
6 of Congress which will be submitted by the President
7 under chapter 11 of title 31, United States Code, and in
8 preparing the annual budget and related materials for the
9 Library of Congress for the use of the Committees on Ap-
10 propriations of the Senate and House of Representatives,
11 the Librarian of Congress shall ensure that all amounts
12 attributable to salaries and expenses of the law library of
13 the Library of Congress are set forth separately as a sepa-
14 rate line item from other salaries and expenses of the Li-
15 brary of Congress.

16 (b) EFFECTIVE DATE.—This section shall apply with
17 respect to fiscal year 2011 and each succeeding fiscal year.

18 **SEC. 4. WILLIAM ORTON PROGRAM TO SUPPORT THE MIS-**
19 **SION OF THE LAW LIBRARY OF THE LIBRARY**
20 **OF CONGRESS.**

21 (a) ESTABLISHMENT.—

22 (1) IN GENERAL.—The Librarian of Congress,
23 acting through the Law Librarian of Congress, shall
24 establish and operate a program to be known as the
25 “William Orton Law Library Support Program”

1 (hereafter in this section referred to as the “Pro-
2 gram”), which will—

3 (A) provide enhanced or special services
4 and programs for the Law Library; and

5 (B) otherwise support the mission of the
6 Law Library.

7 (2) RELATION TO OTHER PROGRAMS.—The Li-
8 brarian shall operate the Program in a manner
9 which ensures that the resources of the Program are
10 not commingled with the resources used to carry out
11 the program operated under section 2.

12 (b) ROLE OF OTHER ENTITIES.—The Librarian may
13 carry out the Program through agreements and partner-
14 ships entered into with other government and private enti-
15 ties, including the American Association of Law Libraries
16 and the American Bar Association.

17 (c) PRIVATE SUPPORT.—

18 (1) ACCEPTANCE OF DONATIONS.—Donations
19 of funds and in-kind contributions in support of the
20 Program may be accepted—

21 (A) by the Library of Congress Trust
22 Fund Board, as provided under the Act entitled
23 “An Act to create a Library of Congress Trust
24 Fund Board, and for other purposes”, approved
25 March 3, 1925 (2 U.S.C. 154 et seq.); and

1 (B) by the Librarian of Congress, as pro-
2 vided under section 4 of such Act (2 U.S.C.
3 160).

4 (2) USE OF AMOUNTS.—Notwithstanding the
5 second paragraph of section 2 of the Act entitled
6 “An Act to create a Library of Congress Trust Fund
7 Board, and for other purposes”, approved March 3,
8 1925 (2 U.S.C. 157), or the third sentence of sec-
9 tion 4 of such Act (2 U.S.C. 160), any amounts ac-
10 cepted by the Library of Congress Trust Fund
11 Board or the Librarian of Congress in support of
12 the Program shall be subject to disbursement by the
13 Librarian only upon the recommendation of the Law
14 Librarian (except to the extent otherwise provided
15 under any terms and conditions on the use of the
16 amounts which are imposed by the person making
17 the donation).

18 (3) ACCEPTANCE OF OTHER VOLUNTARY SERV-
19 ICES.—Notwithstanding section 1342 of title 31,
20 United States Code, the Librarian of Congress may
21 accept voluntary and uncompensated services in sup-
22 port of the Program.

23 (d) ESTABLISHMENT OF SEPARATE ACCOUNT.—

24 (1) IN GENERAL.—There is established in the
25 Treasury (among the accounts of the Library of

1 Congress) a separate account for the Program,
2 which shall consist of—

3 (A) amounts accepted by the Library of
4 Congress Trust Fund Board in support of the
5 Program as described in subsection (c)(1)(A),
6 together with any income earned on such
7 amounts;

8 (B) amounts accepted by the Librarian of
9 Congress in support of the Program as de-
10 scribed in subsection (c)(1)(B), together with
11 any income earned on such amounts;

12 (C) amounts appropriated pursuant to the
13 authorization under subsection (f); and

14 (D) interest on the balance of the account.

15 (2) USE OF AMOUNTS.—The funds contained in
16 the account established under this subsection shall
17 be used solely by the Law Librarian of Congress to
18 carry out the Program.

19 (e) ANNUAL REPORT.—Not later than April 30 of
20 each year (beginning with 2010), the Librarian of Con-
21 gress shall submit a report on Program funding and ac-
22 tivities to the Committee on House Administration of the
23 House of Representatives, the Committee on Rules and
24 Administration of the Senate, the American Bar Associa-

tion, and the American Association of Law Libraries. The report shall include—

(1) a listing of all donations received in support of the Program during the previous year;

(2) the total obligations during the previous year for each Program activity;

(3) the amount appropriated pursuant to the authorization under subsection (f) for the fiscal year beginning on the previous October 1;

(4) a list of Program activities, with budget information for each such activity, planned for the calendar year in which the report is submitted; and

(5) any findings in the most recently completed audit conducted with respect to the Law Library or Program funds or investments.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated to the Librarian of Congress for the Law Library of Congress for a fiscal year, there are authorized to be appropriated for deposit into the account established under subsection (d) an amount equal to 40 percent of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the Program under subsection (c)(1) during the previous fiscal year.

1 **SEC. 5. SENSE OF CONGRESS REGARDING ROLE AND STA-**
2 **TUS OF LAW LIBRARY OF LIBRARY OF CON-**
3 **GRESS.**

4 It is the sense of Congress that the Librarian of Con-
5 gress should make decisions regarding the financing and
6 operation of the law library of the Library of Congress,
7 the maintenance of its collections, and the access of the
8 public to its collections in a manner that preserves the
9 role and status of the law library as the Nation's law li-
10 brary.

11 **SEC. 5. DESIGNATION OF LAW LIBRARY OF LIBRARY OF**
12 **CONGRESS AS NATIONAL LAW LIBRARY.**

13 *The law library of the Library of Congress shall be*
14 *known and designated as the "National Law Library", and*
15 *any reference to the law library of the Library of Congress*
16 *in any law, rule, regulation, or document shall be deemed*
17 *to be a reference to the National Law Library.*

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